NEW ZEALAND

EDICT OF GOVERNMENT

In order to promote public education and public safety, equal justice for all, a better informed citizenry, the rule of law, world trade and world peace, this legal document is hereby made available on a noncommercial basis, as it is the right of all humans to know and speak the laws that govern them.

NZS BIO FISROEIC.EEC (2004) (English): Importing Fish-eggs-roe for human consumption from the European Union (Updated 24 September 2004) [By Authority of The Biosecurity Act of 1993]

We will sell to no man,
we will not deny or defer to any man either justice or right.
Magna Carta—Tūtohinga Nui
Kore rawa e hoko ki te tangata, e kore e whakakāhoretia,
e tautuku rānei te tangata ki te ture, tika ranei.

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IMPORT HEALTH STANDARD FOR THE IMPORTATION INTO NEW ZEALAND OF FISH EGGS/ROE FOR HUMAN CONSUMPTION FROM THE EUROPEAN COMMUNITY

ANNEX A ASSIGNED NUMBER (AN) 9.1, 9.2, 9.4.

Issued pursuant to Section 22 of the Biosecurity Act 1993

Dated: 24 September 2004

USER GUIDE

The information in MAF animal and animal product import health standards is presented in numerically ordered sections with descriptive titles. Sections are grouped into one of four parts, designated alphabetically.

Part A. GENERAL INFORMATION contains sections of general interest, including those relating to the legal basis for MAF import health standards and the general responsibilities of every importer of animals and animal products.

Part B. IMPORTATION PROCEDURE contains sections that outline the requirements to be met prior to and during importation. Whether a permit to import is required to be obtained prior to importation is noted, as are conditions of eligibility and general conditions relating to documentation accompanying the consignment.

Part C. CLEARANCE PROCEDURE contains sections describing the requirements to be met at the New Zealand border and, if necessary, in a transitional facility in New Zealand prior to any consignment being given biosecurity clearance.

Part D. ZOOSANITARY CERTIFICATION contains model health certification which must be completed by the appropriate personnel as indicated in the certification and accompany the consignment to New Zealand.

PART A. GENERAL INFORMATION

1. IMPORT HEALTH STANDARD

1.1 Pursuant to section 22 of the Biosecurity Act 1993, this document is the import health standard for the importation into New Zealand of fish eggs/roe for human consumption from the European Community.

1.2 Obtaining biosecurity clearance for each consignment of fish eggs/roe for human consumption from the European Community is dependent upon the consignment meeting the requirements of this import health standard.

1.3 This import health standard may be reviewed, amended or revoked if there are changes

in New Zealand's import policy or the animal health status of the originating country, or for any other lawful reason, at the discretion of the Director Animal Biosecurity.

2. IMPORTER'S RESPONSIBILITIES

2.1 The costs of MAF in performing functions relating to the importation of fish eggs/roe shall be recovered in accordance with the Biosecurity Act and any regulations made under that Act.

2.2 All costs involved with documentation, transport, storage and obtaining a biosecurity direction and/or biosecurity clearance shall be borne by the importer or agent.

2.3 Commercial consignments of products imported into New Zealand for human consumption in New Zealand must comply with the Food Act 1981. These requirements are independent of the import health standard requirements and are managed by the New Zealand Food Safety Authority (NZFSA). Importers are advised to contact the NZFSA or consult the NZFSA website: www.nzfsa.govt.nz/imported-food/index.htm

3. DEFINITION OF TERMS

91/67/EEC
Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products.

91/493/EEC
Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products.

97/132/EC
Council Decision 97/132/EC of 17 December 1996 on the conclusion of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products.

biosecurity Clearance
A clearance under section 26 of the Biosecurity Act 1993 for the entry of goods into New Zealand

Director Animal Biosecurity
The Director Animal Biosecurity, New Zealand Ministry of Agriculture and Forestry, or any person who for the time being may lawfully exercise and perform the power and functions of the Director Animal Biosecurity.

European Community
Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, The Netherlands and United Kingdom.

fish eggs/roe
For the purposes of this import health standard, includes eggs and roe derived from any marine or freshwater fish.

Fo3 heat treatment
Fo3 is a processing standard equating to 121 degrees Celsius for 3 minutes

MAF
The New Zealand Ministry of Agriculture and Forestry.

New Zealand Inspector
A person who is appointed an inspector under section 103 of the Biosecurity Act 1993

Official Veterinarian
A veterinarian authorised by the National Veterinary Competent Authority of the country to perform animal health and/or public health inspections of commodities and, when appropriate, perform certification in conformity with the provisions of the chapter of the OIE Code pertaining to principles of certification and Council Directive 96/93/EC.

PART B. IMPORTATION PROCEDURE

4. PERMIT TO IMPORT

4.1 A permit to import is not required.

5. ELIGIBILITY

5.1 The fish eggs/roe products must be heat treated to F_O3 and be shelf stable.

5.2 For products that have been imported into the European Community from a third country and are subsequently destined for export to New Zealand, the following requirements must be met:

5.2.1 The following additional declaration shall be included on the model health certificate (see PART D. ZOOSANITARY CERTIFICATION):

"The product described herein was derived/partly derived from product which:

i. was imported into the European Community from……
(Country/countries of origin)

ii. was further stored, handled, processed, wrapped, and/or packaged in an establishment which is eligible to process product for intra-Community trade,

iii. is the subject of an existing import health standard between New Zealand and the third country/countries where the product originated,

iv. originated in a third country/countries and establishment(s) listed by the European Community and is eligible for export to the European Community."

5.2.2 A copy of the original "import" certificate (i.e. certificate(s) used to import the product into the European Community) is to be attached to the model health certificate (see PART D. ZOOSANITARY CERTIFICATION). This copy is to be endorsed "certified copy of original" and be signed by the certifying officer.

6. DOCUMENTATION ACCOMPANYING THE CONSIGNMENT

6.1 The consignment shall be accompanied by appropriately completed health certification which meets the requirements of PART D. ZOOSANITARY CERTIFICATION.

6.2 Documentation shall be in English, but may be bilingual (language of exporting country/English).

6.3 It is the importer's responsibility to ensure that any documentation presented in accordance with the requirements of this import health standard is original (unless otherwise specified) and clearly legible. Failure to do so may result in delays in obtaining biosecurity direction and/or clearance or rejection of consignments.

PART C. CLEARANCE PROCEDURE

7. BIOSECURITY CLEARANCE

7.1 Upon arrival in New Zealand the documentation accompanying the consignment shall be inspected by an Inspector at the port of arrival.

7.2 Providing that the documentation meets all requirements noted under PART D: ZOOSANITARY CERTIFICATION and the consignment meets the conditions of ELIGIBILITY, the consignment may, as appropriate, be given a biosecurity clearance pursuant to section 26 of the Biosecurity Act 1993 or biosecurity direction pursuant to section 25 of the Biosecurity Act 1993.

PART D. ZOOSANITARY CERTIFICATION

8. NEGOTIATED EXPORT CERTIFICATION

8.1 The following Model Zoosanitary Certificate contains the information required by MAF to accompany imports of fish eggs/roe into New Zealand from the European Community

9. ANIMAL AND PUBLIC HEALTH CERTIFICATE FOR FISH EGGS/ROE FOR HUMAN CONSUMPTION – ANNEX A ASSIGNED NUMBER (AN) 9.1, 9.2, 9.4.

AN Number and Name of Animal Product: .....

Certificate Number: .....

Exporting Member State: .....

Competent Ministry of Exporting Member State: .....

I. Identification of Product

Number of packages: .....

Nature of packaging: .....

Nature of the goods: .....

Species product derived from: .....

Net weight in kilograms (kg): .....

Number of the container(s) and container seal number(s): .....

Production date(s): .....

II. Origin of Product

Names and official approval number(s) of establishment(s): .....

III. Consignment Information

Place of loading: .....

Name and address of consignor: .....

Name and address of consignee: .....

Port of Disembarkation: .....

Country of Final Destination: NEW ZEALAND

IV. Health Attestation

I the undersigned hereby certify that:

The animal products herein described, comply with the relevant European Community animal health/public health standards and requirements which have been recognised as equivalent to the New Zealand standards and requirements as prescribed in Council Decision 97/132/EC, as last amended, specifically, in accordance with:

Council Directive 91/67/EEC, Council Directive 91/493/EEC and Council Directive 2002/99/EC.

V. Additional Declaration(s)/Guarantee(s)

1. I the undersigned hereby certify that the animal product is eligible for intra-community trade without restriction.

2. I the undersigned hereby certify that the products herein described were heat treated to F_O3 and are shelf stable.

VI. This certificate is valid for 4 months from the date of issue (unless revoked)

Done at:..... on:.....

Signature and Seal of Official Veterinarian:.....

(*Note:* The signature and official seal must be in a colour different to that of the printing.)

Ref: AI-EU01O FISROEIC.EEC